

## CONSENT FOR ACCESS TO PROPERTY

PROPERTY: Property designated on the Linden, NJ Tax Map as Block 587, Lots 1 and 2.01

Linden Property Holdings LLC ("LPH") is the owner of certain property located in Linden, New Jersey, which is comprised of Tax Block 587, Lots 1 and 2.01 (the "LPH Property"). The LPH Property is adjacent to the LCP Chemicals, Inc. Superfund Site, which is comprised of Tax Block 587, Lots 3.01, 3.02, and 3.03 (the "LCP Site"). The U.S. Environmental Protection Agency ("EPA") has requested that LPH consent to access by EPA and its officers, employees, and authorized representatives to and over an existing gravel road on the LPH Property known as Linde Road, as identified on the drawing attached hereto as Exhibit A ("Linde Road"), for the purpose of ingress to and egress from the LCP Site.

LPH hereby certifies to EPA that (i) LPH is the current owner of the LPH Property, and (ii) LPH consents to officers, employees, and authorized representatives of EPA entering and having access to and over Linde Road under Section 104(e)(3) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended, 42 U.S.C. § 9604(e)(3), solely for the purpose of ingress to and egress from the LCP Site as needed to facilitate inspection and sampling activities at the LCP Site in connection with EPA's undertaking of the remedial design of the remedy described in the February 25, 2014 Record of Decision for the LCP Site. EPA officers, employees, and authorized representatives may enter and access Linde Road only after providing reasonable advance notice to LPH's designated representative, who will unlock the gates at both ends of Linde Road to allow EPA ingress to and egress from the LCP Site. EPA has been informed that, for security reasons, these gates will be locked at all times that EPA is not utilizing Linde Road to access the LCP Site.

EPA hereby certifies to LPH that (i) EPA's remedial design contractor, CDM Smith, will keep in force during the life of this Consent for Access to Property ("Consent for Access") automobile insurance, comprehensive general liability insurance, and workers' compensation insurance sufficient to cover the costs of potential liability that may reasonably be expected to arise out of the actions performed pursuant to this Consent for Access, and (ii) contemporaneously with the execution of this document, EPA shall provide LPH with Certificates of Insurance evidencing such insurance and naming LPH as an additional insured thereunder (other than with respect to the workers' compensation insurance).

EPA hereby further certifies to LPH that it will provide LPH with thirty (30) days advance written notice of the commencement of the remedial action phase at the LCP Site – that is, activities other than investigative and sampling efforts conducted as part of the remedial design phase. EPA acknowledges that this Consent for Access does not apply to activities conducted as part of the remedial action phase and does not grant access rights over the LPH Property or any portion thereof (including, without limitation, Linde Road) in connection with such activities conducted as part of the remedial action phase without prior written consent of LPH and/or the execution of a separate Consent for Access to Property agreement.

This Consent to Access is entered into voluntarily by LPH, provided that LPH reserves all right, title, and interest in and to the LPH Property, and provided further that LPH reserves all rights and remedies in connection with the access to and over Linde Road by EPA and its officers, employees, and authorized representatives, including but not limited to the right to refuse access and/or change the manner and timing of access at any time and to supervise and/or monitor any and all of EPA's activities associated with its entry to and access to and over Linde Road. LPH shall have the right to terminate this Consent for Access at any time upon written notice to EPA.

LINDEN PROPERTY HOLDINGS LLC

8-7-2016

Date



Name: Celeste Levine  
Title: Associate General Counsel -  
Environment

U.S. ENVIRONMENTAL PROTECTION AGENCY

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Date

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Name:  
Title:

# Exhibit A

